

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

KIRK DAHL, et al., Individually and on Behalf )	Lead Case No. 1:07-cv-12388-EFH
of All Others Similarly Situated, )	
Plaintiffs, )	CLASS ACTION
vs. )	ORAL ARGUMENT REQUESTED
BAIN CAPITAL PARTNERS, LLC, et al., )	
Defendants. )	
_____ )	

**PLAINTIFFS' MOTION TO STRIKE THE EXPERT REPORTS OF  
PAUL A. GOMPERS, Ph.D. AND PROFESSOR KEVIN M. MURPHY, Ph.D.**

Pursuant to Rule 702 of the Federal Rules of Evidence, Plaintiffs respectfully submit this Motion to Strike the Expert Reports of Paul A. Gompers, Ph.D. ("Gompers Report") and Professor Kevin M. Murphy, Ph.D. ("Murphy Report").

As explained more fully in Plaintiffs' Memorandum in Support of Motion to Strike the Expert Reports of Paul A. Gompers, Ph.D. and Professor Kevin M. Murphy, Ph.D. (the "Memorandum"), the Gompers and Murphy Reports are inadmissible and irrelevant because they do not contain any economic analysis, address information that a jury can understand independently, and improperly usurp the factfinder's role by weighing evidence.

Plaintiffs respectfully request that the Court grant their motion to strike the expert reports in their entirety, and order further relief as the Court deems just and appropriate.

Respectfully submitted,

Dated: August 22, 2012

/s/ Roberta A. Yard

ROBERTA A. YARD

(admitted *pro hac vice*)

MARK REINHARDT

(admitted *pro hac vice*)

**REINHARDT WENDORF  
& BLANCHFIELD**

E-1250 First National Bank Building

332 Minnesota Street

St. Paul, MN 55101

Telephone: (651) 287-2100

CHRISTOPHER M. BURKE

(admitted *pro hac vice*)

WALTER W. NOSS

(admitted *pro hac vice*)

KRISTEN M. ANDERSON

(admitted *pro hac vice*)

**SCOTT + SCOTT LLP**

707 Broadway, Suite 1000

San Diego, CA 92101

Telephone: (619) 233-4565

(619) 233-0508 (fax)

K. CRAIG WILDFANG

(admitted *pro hac vice*)

THOMAS J. UNDLIN

(admitted *pro hac vice*)

STACEY P. SLAUGHTER

(admitted *pro hac vice*)

GEORGE D. CARROLL

(admitted *pro hac vice*)

**ROBINS, KAPLAN, MILLER & CIRESI  
L.L.P.**

2800 LaSalle Plaza

800 LaSalle Avenue

Minneapolis, MN 55402-2015

Telephone: (612) 349-8500

(612) 339-4181 (fax)

SPSlaughter@rkmc.com

LISA A. FURNALD (BBO #631059)  
**ROBINS, KAPLAN, MILLER & CIRESI  
L.L.P.**

800 Boylston Street, 25th Floor  
Boston, MA 02199  
Telephone: (617) 267-2300  
(617) 267-8288 (fax)  
lafurnald@rkmc.com

RICHARD LOCKRIDGE  
(admitted *pro hac vice*)

CHARLES N. NAUEN  
(admitted *pro hac vice*)

KAREN H. RIEBEL  
(admitted *pro hac vice*)

**LOCKRIDGE GRINDAL NAUEN  
P.L.L.P.**

100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
Telephone: (612) 339-6900  
khriebel@locklaw.com

DAVID R. SCOTT  
(admitted *pro hac vice*)

**SCOTT + SCOTT LLP**

156 South Main Street  
P.O. Box 192  
Colchester, CT 06415  
Telephone: (860) 537-5537  
(860) 537-4432 (fax)

TYLER W. HUDSON  
(admitted *pro hac vice*)

**WAGSTAFF & CARTMELL LLP**

4740 Grand Avenue, Suite 300  
Kansas City, MO 64112  
Telephone: (816) 701-1177

J. GERARD STRANCH, IV  
(admitted *pro hac vice*)

**BRANSTETTER, STRANCH  
& JENNINGS, PLLC**

227 Second Avenue North, 4th Floor  
Nashville, TN 37201  
Telephone: (615) 254-8801

JACK LANDSKRONER  
(admitted *pro hac vice*)  
PAUL GRIECO  
(admitted *pro hac vice*)  
**LANDSKRONER GRIECO  
MADDEN, LLC**  
1360 West 9th Street, Suite 200  
Cleveland, OH 44113

BRIAN J. ROBBINS  
(admitted *pro hac vice*)  
GEORGE AGUILAR  
(admitted *pro hac vice*)  
**ROBBINS UMEDA LLP**  
600 B Street, Suite 1900  
San Diego, CA 92101  
Telephone: (612)525-3990

DAVID W. MITCHELL  
(admitted *pro hac vice*)  
SUSAN G. TAYLOR  
(admitted *pro hac vice*)  
PHONG L. TRAN  
(admitted *pro hac vice*)  
PATRICK COUGHLIN  
(admitted *pro hac vice*)  
**ROBBINS GELLER RUDMAN  
& DOWD LLP**  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: (619)231-1058

BRIAN P. MURRAY (Of Counsel)  
**MURRAY, FRANK & SAILER LLP**  
275 Madison Avenue, Suite 801  
New York, NY 10016  
Telephone: (212)682-1818

DENNIS STEWART (Of Counsel)  
**HULETT HARPER STEWART, LLP**  
525 B Street, Suite 760  
San Diego, CA 92101  
Telephone: (619)338-1133

JAYNE A. GOLDSTEIN  
(admitted *pro hac vice*)  
**SHEPHERD, FINKELMAN MILLER  
& SHAH, LLP**  
1640 Town Center Circle, Suite 216  
Weston, FL 33326  
Telephone: (816)701-1177

NADEEM FARUQUI (Of Counsel)  
**FARUQUI & FARUQUI, LLP**  
369 Lexington Avenue, 10th Fl.  
New York, New York 10017  
Telephone: (212)983-9330

**LOCAL RULE 7.1 (E) REQUEST FOR ORAL ARGUMENT**

Plaintiffs hereby request oral argument on this Motion.

**LOCAL RULE 7.1 STATEMENT**

The undersigned hereby certifies that Plaintiffs' counsel conferred with counsel for Defendants and attempted in good faith to resolve or narrow the issues raised by this Motion.

Dated: August 22, 2012

/s/ Roberta A. Yard  
ROBERTA A. YARD  
(admitted *pro hac vice*)  
MARK REINHARDT  
(admitted *pro hac vice*)  
**REINHARDT WENDORF  
& BLANCHFIELD**  
E-1250 First National Bank Building  
332 Minnesota Street  
St. Paul, MN 55101  
Telephone: (651) 287-2100

**CERTIFICATE OF SERVICE**

I, Roberta A. Yard, hereby certify that on August 22, 2012, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted in the Electronic Mail Notice List.

Paper copies will be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

Dated: August 22, 2012

/s/ Roberta A. Yard

ROBERTA A. YARD

(admitted *pro hac vice*)

MARK REINHARDT

(admitted *pro hac vice*)

**REINHARDT WENDORF**

**& BLANCHFIELD**

E-1250 First National Bank Building

332 Minnesota Street

St. Paul, MN 55101

Telephone: (651) 287-2100

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